

the effort to reform mining laws which have been unchanged since 1872.

It is high time that the 19th century mining law be updated to reflect our 21st century needs and goals. The current law was enacted before the invention of the telephone and was designed to promote mineral development in the age of the pick-and-shovel prospector.

Unlike virtually any other use of public lands, the 1872 mining law allows mining on public lands for hardrock minerals such as gold and copper without any compensation or royalty. It is time that this law be changed to reflect modern mining technologies and newer social values that question whether mineral extraction is always the best or highest use of the land.

As a long-term member of the Natural Resources Committee, I want to once again commend Chairman RAHALL for his commitment to mining reform, and he and Mr. COSTA for producing a balanced bill which benefits American taxpayers who own the land, the environment and the mining industry.

I urge my colleagues to support H.R. 2262.

Mr. PEARCE. Mr. Chairman, in order to, again, stick with facts that I think one of my colleagues mentioned we should, I would note that when we just heard the comment that no fees or dollars were taken from the mining industry, actually, \$55 million was paid in claim maintenance fees.

But if we are to have this discussion about what effect this royalty is going to have, I think we should look at other circumstances. Again, these facts were presented in committee, in the committee hearings, but, somehow they did not get integrated into the bill, the knowledge, and again, it's the reason that we are passionate here on the floor about our points of view.

We had testimony from British Columbia that instituted a 2.5 percent royalty. Now we are looking at an 8 percent, almost three times as much.

Now, if, as our opponents claim, there is no effect, that we can expect nothing, then you would think nothing happened in British Columbia. Yet, after they instituted, in 1 year, 1 year, revenues from the mines didn't increase because of this royalty; it decreased from 28 to 15, almost a 50 percent decrease.

Exploration, likewise, fell dramatically from 38 to 15, far more than a 50 percent drop. That was in 1 year. The tax was repealed the next year because they found out exactly what we are claiming, that jobs were lost, 6,000 jobs were lost in 1 year. In 1972, the number of claims fell by 85 percent.

So when our opponents say there is not going to be any effect here, it's only right, we are asking them to pay the same amount that you pay for a snack at the grocery store. British Columbia did one-third of the tax that we are proposing. British Columbia found that they had to undo the tax because it was so destructive to the industry.

Mr. Chairman, I reserve the balance of my time.

Mr. RAHALL. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. HOLT), a valued member of our Committee on Natural Resources.

Mr. HOLT. I thank the chairman and commend my colleague from West Virginia for bringing this legislation to the floor.

Mr. Chairman, we are doing a good thing here. The Mining Act of 1872 is as archaic and as deserving of updating as the name suggests. It was written at a time of manifest destiny, the belief of our predecessors, who held that we should expand from coast to coast and that mining was recognized as one of the best uses of public lands when the country seemed so vast that no one could imagine that human actions would affect the world.

Many things have changed over 135 years. Our Nation is settled. We have come to realize the worth of our natural environment. We have come to comprehend the effects of human actions on the resources that we will pass down to future generations.

This legislation is governing hardrock mining, an industry that's remained exempt from environmental regulations despite the fact that the U.S. EPA's toxic release inventory has determined that hardrock mining is a primary source of toxic pollution in the United States.

I am pleased that in committee we have included language, important language, I would say, to restrict permits for activities that would harm national parks and national monuments. There are thousands of claims and could be thousands more in the close environment of national parks and national monuments, some of our most treasured lands. This legislation will provide vital protection for those lands.

We all know well the costs to American taxpayers of refusing to look after the environment. This language about national parks, I think, will also save the taxpayer money, because we will have to spend hundreds of millions of dollars to clean up damage to water supplies and so forth.

I commend the chairman for bringing such a good bill forward and urge its passage.

Mr. PEARCE. Mr. Chairman, might I inquire how much time is remaining?

The CHAIRMAN. The gentleman from New Mexico has 3 minutes left. The gentleman from West Virginia has 4 minutes remaining.

Mr. PEARCE. Mr. Chairman, again, just sticking with the facts, we had one of my colleagues talk about fluorspar, that's what's used to make toothpaste, as if there were no strategic minerals; yet when I look at the list of imported minerals, I see that we import 72 percent of titanium, which is used in jet aircraft, fighter jet aircraft, 72 percent.

I think when we are discussing these facts, we should be talking about the critical facts, as I am sure that the gentleman was correct that we do im-

port fluorspar, and it probably is used on toothpaste, but we probably should be talking about the domestic security, about the security of our Nation, about the willingness of our industry and the capability of our industry to provide the instruments to defend this country.

We are at a time when terrorists are trying to overcome us, al Qaeda, radical jihad. The terrorists are trying every way they can, and we are going to put the source of critical minerals that are necessary for our Nation's offense outside the Nation's borders. It simply doesn't make sense. It actually does feel like a work in progress. It feels like we should have done more.

Mr. Chairman, I reserve the balance of my time.

□ 1300

Mr. RAHALL. Mr. Chairman, I would ask the gentleman from New Mexico if he has any additional speakers, because I am prepared to close, as I have the right to close.

Mr. PEARCE. I have no additional speakers. I will close if the gentleman is ready to close.

Mr. Speaker, when I look on the walls of this Chamber, I see the quote by Daniel Webster up above the Speaker's chair, and it says: "Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests, and see whether we also, in our day and generation, may not perform something worthy to be remembered."

Worthy to be remembered. I think our Founding Fathers had it right. They visualized a nation of tremendous promise, where the wealth of the Nation and the protection of the Nation would come together in the production of its resources and in the taking care of its land.

I don't find it unusual at all that the same generation protected Yellowstone and yet gave us the capability to create these mines, which take billions of dollars to promote and to produce. I don't find that unusual at all.

But what I do find unusual is that our friends on the other side of the aisle are not listening to their own testimony coming in their own hearings. We heard testimony from both Democrat and Republican witnesses alike saying 8 percent royalties are unprecedented. They are damaging, destructive, they will hurt. Those are the things that we heard in the committee.

I would suggest that we send this work in progress back to the committee and finish our work before we try to change 135-year-old policy.

Mr. Chairman, I include a letter for the RECORD from Governor Palin of Alaska, the U.S. Chamber of Commerce, the National Mining Association, and others, all in opposition to the legislation proposed here.

DEPARTMENT OF NATURAL RESOURCES,

Anchorage, AK, September 28, 2007.

Hon. NICK RAHALL,
Chairman, Committee on Natural Resources,
Washington, DC.

DEAR CHAIRMAN RAHALL: The State of Alaska has completed a review of H.R. 2262,